

Judge Roberts' 9/22/06 law and motion files.

1. 133361     LOZADA V. TOVEY:

**Tentative ruling:** The motion will be granted along with monetary sanctions in the amount of \$500.00.

2. 133587     BOX V. BROWN:

**Tentative ruling:** The petitions appear to be in order. However, counsel should be prepared to discuss the reasonableness of the settlements.

3. 136342     WELLS V. STATE OF CALIFORNIA:

**Tentative ruling:** The motion will be denied without prejudice for lack of admissible evidence that the tort claims were not, in fact, received and because late claim applications to the State are pending.

4. 136529     CAVNESS V. SHAULIS:

**Tentative ruling:** The court has reviewed the record. It will, on its own motion, continue the demurrers and motions to strike to 10/27/06 at 9:00 a.m..

5. 137099     COOK V. BOLSBY JOINT VENTURE:

**Tentative ruling:** The demurrer will be overruled. While the pleading is not a model of clarity, its language is adequate to allow the defendants to formulate discovery. It is well established that negligence can be pleaded generally, that fact based arguments are not cognizable on demurrer, and that the court cannot take judicial notice of the content of documents such as defendant Copper's recommendation. To the extent there are specific allegations, they do not appear to be in such conflict with the agency language as to create unacceptable uncertainty.

6. 137540     IN RE: JOHN P. MOHR HAYNES:

**Tentative ruling:** The petition will be granted.

7. 137566     ROBINSON V. CHANCELLAR:

**Tentative ruling: The motion to compel arbitration will be granted.**

8. 138100     COMPROMISE OF NICKIE SIGLER:

**Tentative ruling: The petition will be granted. Counsel is to submit a declaration stating the difference between the actual and estimated net which will be deposited into the blocked account.**

9. 138164     COHASSET VILLAGE, LLC. V. KUCHINSKI:

**Tentative ruling: The motion will be granted. Counsel is to provide a form of order which complies in all respects with CCP § 437c(g).**